

Major General Votel: We've asked you to do today is come in here and talk to us. We're trying to gather information for this investigation here and we're thinking that you can fill in some of the gaps here. By way of introduction, I'm Major General Joe Votel. I'm the Chief of Staff at United States Special Operations Command down at MacDill Air Force Base. In my current capacity right here I'm the investigation officer appointed by General Mattis, the CENTCOM Commander to look into the facts and circumstances surrounding the hostage rescue operations that took place up in Konar Province here about 10 days ago and recovering Ms. Norgrove you we're on that operation and you're very familiar with it.

What we're going to do this afternoon is we're going to take through and have a little interview here. It will be more of a discussion, much more free-flow. But up front I have to tell you this is an official investigation so I have to go through a couple of administrative, legal things up front. Please, just relax as we go through this and it's part of the process here.

During the course of this interview this afternoon, Chief, I'm going to ask you to furnish information about yourself. The Privacy Act of 1974 required that I inform of my need and my authority to ask for that information. The statement that I'm putting in front of you right here is a copy of the Privacy Act. It basically says that I'm going to ask the information and I have the authority to do it in my capacity of an investigation officer here and that information may appear in statements and in this report and it may be information that is made available to those who have access to the report. I'd like to invite you to review that and then print, sign, and date. Today's date is the 17th.

[The witness did as directed.]

Major General Votel: We are recording this conversation this afternoon. It will be transcribed into a statement that will become part of the official record here. I would ask you to answer each question verbally. We won't be able to pick up any nods or anything like that. I've got a schematic in front of you and a large format piece of imagery in front of you and we'll be looking at some videotape. You may hear one or more of us pipe in the background just trying to make an

administrative comment to clarify things for the record. Please, don't let that set you off. As you talk about your movement and your actions on the objective, it would be very good if you could talk about them in relation to the building numbers that you see here in front you.

Everything that you say is on the record this afternoon. It is important to give truthful testimony. It is a violation of Federal law to knowingly make a false statement under oath. As such, this is going to constitute a sworn statement on your part. Please stand and raise your right hand.

[The witness was sworn.]

Major General Votel: The time is now 1730 Zulu on the 17th of October 2010. I have introduced myself and I think I've introduced you to everybody in the room right here. We are currently located here at Jalalabad Air Field. I do want to inform you that you are not suspected of any offense under the Uniform Code of Military Justice, Federal, or local law; therefore, I'm not advising you of your Article 31 rights and you do not have the authority to have a legal counsel present. You do have the obligation to answer all the questions that we pose to you today unless you determine that one of those questions may incriminate you in some manner. Do you understand what I'm telling you?

WITNESS: Yes, sir.

Major General Votel: I would just ask you to relax and we are going to go through this chronologically and talk about your participation in the operation. I'd like you to verbalize that. Take as much time as you need. We're in no rush here to get through this. I'm going to start off asking some questions and we're going to kind of go through it a little bit by phases and then I'll offer the Brigadier and the Colonel and others to ask questions as we go along and then we'll keep moving. If you need to take a break or something, you just let me know and we'll be glad to do that, okay?

WITNESS: Thank you, sir.

Major General Votel: What I'd like you start off first, is talk to us about what your role in the mission was here. How you first came to know about it and what your

assigned responsibilities were for this particular operation.

WITNESS:

I'm an assaulter with Team (b)(1), 1.4a, (b)(2)High. Typically, it's a very vague description but it's a catch-all for us in that we're not a team leader or decision maker per say; we're just more of an assaulter on the ground. We all have very similar duties while an assault is happening. It's basically just a work together, assault a compound or in this case, rescue a hostage and to use our training and everything else that we can to meet that goal. Special duties for this objective, I'm usually secondary SSE representative which is sensitive site exploitation. It's gathering all the materials and evidence after the target is secure. And for this objective on scene, I was directed to draw the sketch and take a few of the compound pictures for the SSE.

Major General Votel:

Going into this rescue operation had as one of its objectives potentially rescuing Ms. Norgrove. As the information was presented to you as you prepared for this, did you have a good feel for where she may be located on this objective? Can you talk a little bit about that?

WITNESS:

Not really. I didn't have a great feel to where she would be located. I would also say that you just never know. Any operation we go out on, we usually don't know exactly where the hostile individuals are going to be at as well. We had received some intelligence reports about movement just from our ISR that some PAXs on the ground were seen around the vicinity moving from the 11 to 12. But in the previous 24 hours, if my memory serves me correct, I don't believe we had much movement on the target at all. My knowledge to where she may have been at wasn't as well as I would like it.

Major General Votel:

So you had no specific idea - I mean, there was no specific location known to you where she might be?

WITNESS:

No, there wasn't a nailed down location where they say we highly suspect she's here in this area.

Major General Votel:

What I'd like to do is I'd like to forward ahead a little bit and I'd refer you to this bit of imagery right here referring to attached diagram. I apologize, this location right here for the (b)(1), 1.4a, (b)(2)High

(b)(1)1.4a, (b)(2)High are in the wrong location. I recognize it was actually right up in here along this terrace.

WITNESS: Yes, sir.

Major General Votel: What I'd like to do is I'd like to take you to that point where you are now (b)(1)1.4a, (b)(2)High out of the (b)(1)1.4a, (b)(2)High here, landing on one of their terraces right here and starting to move towards the objective. I wonder if you could just take us through from the point you touched the ground to what you did.

WITNESS: As you said, we (b)(1)1.4a, (b)(2)High in this vicinity right here (referring to attached diagram). As soon as I got my feet on the ground, I started moving towards the 20 series compounds, more in the direction of 21, 22, 23 buildings. I immediately saw what looked to be three passengers, some with AKs walking away from the 21, 22, and 23 buildings, east, away from our direction.

Major General Votel: With weapons?

WITNESS: Yes. I stayed on one landing lower than what the target building was at. I'm sure by now you have a decent feel for the ground layout and how it was cut into different terraces. So I was on a terrace - one terrace below the base level for the building. I continued walking, moving towards the building. Those people with the AKs got out of sight, walking away from us again in the direction of 25 and 26 and then one of them came back into view walking back towards us, back towards building 23. He looked like he was going to start taking cover in 23. He then turned around and started walking away again from us. I yelled "woodiraga, woodiraga," which is Pashtu for stop. I received no reaction from him at all. He kept on going until he got to the corner. He started to go down the stairs then turned right back around and started coming back at us and started to again take cover in building 23. I then engaged him at that time from the lower terrace, one terrace lower than the building. He went down in that location. I then tried to sidestep and climb onto the next highest terrace. I did and I became even with the building on the same level.

At that point, I just tried to move up close to the building to try to get some cover and a little bit of

concealment while continuing to hold in the direction where the PAXs had left, in the direction the PAXs had left, also trying to look inside the building to my left.

Major General Votel: And this would be building 21 or 22 there?

WITNESS: Yes, sir. I would say I was about halfway up on the building so it looks like it would be around building 22.

Major General Votel: Were you lead assaulter moving across the terrace?

WITNESS: On the lowest terrace I was and as soon as I moved up onto the same level as the building, I also was. There was some people already up on that landing but in my position where I moved up on the landing, it put my position as the furthest ahead of the assaulters. Again, I was holding - when I say "holding," sorry, I was just covering on the area where the direction of the PAX had gone as well as trying to look inside the building. It hadn't been cleared yet so I just wanted to make sure we didn't get ambushed from the side or anything like that. A few moments later in the same direction where the previous PAX had come back, there was another man started to walk up the stairs towards us with an AK high. As soon as he got into -

Major General Votel: When you say he was an "AK high," it was in a ready position?

WITNESS: Yes. He basically led with his face and his AK which was good for me. It allowed me to see him and he presented a weapon at the same time he came into view. At that point, I engaged him as well right at the looks to be the south east corner of 23. He went down. I continued to hold along but at the same time, still trying to look inside the building not knowing exactly what was inside the buildings 21, 22, and 23.

Major General Votel: At this point, you are still the lead assaulter moving along the terrace?

WITNESS: Yes. As soon as I moved up close to the building and got next to it, I really didn't penetrate too much further forward because it seems like every moment by moment, something was coming at us so I was just basically trying to wait there, hold my position, and keep a little bit of cover, and seeing what the enemy

is going to present themselves with. I knew there was still a lot of noise. The helos had just left fairly recently so there was still a lot of noise from that. So again, just holding along and trying to watch inside the building to see any sort of reaction at all. A few moments later, another man with a gun starts walking towards buildings 21, 22 and 23 as well as in between building 23 and 25. He was basically coming up that little pathway. I engaged him and shot him twice in the side. At that point, TM5 was next to me.

Major General Votel: TM5?

WITNESS: Yes, sir. I heard him -

Major General Votel: So just to clarify, after you did that third engagement, then TM5 came along beside you?

WITNESS: He was behind me and off to the side. I couldn't see him at all but I could kind of feel him. And then as soon as he spoke to me, I heard him. He was fairly close to me.

Major General Votel: Just so I got the positioning straight here. On the terrace right here, you're in the approximate vicinity of building 22 here.

WITNESS: Yes, sir.

Major General Votel: Are you closest to the building or is TM5?

WITNESS: I am closer to the building.

Major General Votel: Okay. So when he joins you, he's actually on the south side - outside side of the terrace and you're closest to the buildings?

WITNESS: Yes, sir. At the same time that I engage the third shooter that's moving up, I hear TM5 next to me say, "frag out," "frag out." I then just quickly tried to get up next to the building and inside the building. I didn't really know how far along in the process of doing that so I didn't want to get hit with anything. When I pulled it into the building, there was a little cover right there. I just started clearing that little dent, that cove, trying to make sure there weren't any hostiles in there at all. I cleared that space. A moment after the explosion went off, I finished clearing the cove to my satisfaction, making sure that at least that area we

were exposed to was clear. I then came out in front of the building to my same position that I was in, in front of building 22 covering in the same direction I was where the PAX had come from and I'm just waiting for any sort of reaction further, any more gunfire or people to come up our way or anything. After a little while, I didn't get any reaction, so I crept forward and entered building 23 which is on my left by myself and cleared it. There was nothing in that room; it was all clear. At that time, my team leader, TM1, came over the radio and said, we need to get up to building 11 and 12. I said, roger that. I exited building 23, took a left and another left and stepped over the two immediate dead bodies right there and moved up the pathway, up the hill towards building 11 and 12.

Major General Votel: I want to go back to where TM5 came up beside you on the outside and then he said something or verbalized something to you that made you aware that it was actually TM5 and yourself.

WITNESS: Yes, sir.

Major General Votel: Do you know how he reached the determination to throw a grenade?

WITNESS: I don't other than that we were exposed obviously. We were in a fairly channelized area in that buildings off to our left, nothing to our right but it dropped off as far as the terrain so we really had no place to go. I did have a little bit of a cove inside the building to my left but - and I can't speak for the people behind me obviously but it did feel like we were all in a line as we usually would be to clear the target.

Major General Votel: Besides, TM5, do you know who was behind you?

WITNESS: I don't. After I took cover into the building, I do know that one of our (b)(1), (4a), (b)(2), (c) call sign TM10, he entered the cove with me and he was in there as well and we cleared that little cove area.

Major General Votel: You said that TM 5 said "frag out," "frag out."

WITNESS: Yes, sir.

Major General Votel: Is that the exact language that you recall or -

WITNESS: If memory serves me correct, yes, but at the same time, it may not have been exact. I was shooting at the time and was expecting the enemy to be shooting as well so it was a fairly intense moment.

Major General Votel: So when he said something like frag out or words like that, was your understanding that he was going to employ a grenade?

WITNESS: Yes, yes, sir.

Major General Votel: Did you observe any other operators engaging any of the same enemy that you were engaging?

WITNESS: I could hear some shots but I did not observe any.

Major General Votel: You couldn't see your team leader or anything.

WITNESS: No, sir.

Major General Votel: And for the third engagement, you described very well how you saw the second individual come up with his head and his weapon in a high carry and then when you saw the third individual, did you see anybody else with him?

WITNESS: No, sir. No, sir. Again, there's a terrain drop off from building 23 to building 25 so even if they're outside the building, you couldn't see below that level that you're currently on. So as soon as he starts coming into view to me, I could see him in his white clothes with an AK and he started to move towards me and it looked like he was turning right to go up towards that little pathway.

Major General Votel: What type of weapon were you carrying that you employed?

WITNESS: It was a carbine rifle. (b)(1)1.4(a), (b)(2)High

Major General Votel: (b)(1)1.4(a), (b)(2)High Do you know what specific round you were shooting?

WITNESS: It was (b)(1)1.4(a), (b)(2)High ammo.

Major General Votel: (b)(1)1.4(a), (b)(2)High ammo and you know that because you loaded all that. That's what you normally -

WITNESS: Yes, sir.

Major General Votel: And then for each of the three engagements that you had there, can you describe for me, was it burst of

three or about how many times did you - I mean, rounds did you launch per engagement?

WITNESS: Yes, sir. For the first two, I believe it was three or four rounds. For the first one at least, it was little bit more of a distance but it wasn't too far of a distance at all but he was still kind of jockeying around in a lateral direction, so I believe it was three or four; and then for the second one, three or four as well. And for the third one, I believe it was only two but it could have been three but I believe it was only two shots.

Major General Votel: For the third engagement?

WITNESS: Yes, sir.

Major General Votel: All right. Good. I'm going to move on to a little bit further on in the operation but before I do, I want to give some of the others to ask questions. Brigadier?

Brigadier Nitsch: I would first say how much I appreciate what you do and the difficulty and the challenges that you face and the execution on your duties and we're very grateful for what was done that night so thank you.

WITNESS: Thank you, sir. I'm sorry for -

Brigadier Nitsch: How much threat did you feel when you were up on that terrace? I mean, how exposed did you feel?

WITNESS: On the terrace even with the building?

Brigadier Nitsch: Yeah. You were there. You were looking down. You had a fairly narrow field of view down along the terrace. What were your instincts telling you on the threat rating that you felt at the time?

WITNESS: Next to that building on that terrace, I felt the threat level was extremely high just because they were in some defilade terrain so in fact if they could have seen us or heard us or noticed us, they could have very easily stayed on the lower terrain and used their rifles to shoot in our terrain where we were exposed having no front cover whatsoever. I felt very exposed.

Brigadier Nitsch: Was that communicated between the team or did you have any discussions with any of the other assaulters that were around you or with you as to how you felt

you were at that moment in time? Did you communicate with them at all?

WITNESS: Not that I can remember, sir, no.

Brigadier Nitsch: So you were very much focused on your bit of the battle then?

WITNESS: I was, yes, sir.

Brigadier Nitsch: The third engagement where you said you fired perhaps two or three rounds, where did you think you hit the insurgent?

WITNESS: In the chest off to the side.

Brigadier Nitsch: On which side of the body?

WITNESS: I believe the left side.

Brigadier Nitsch: Could you see both his arms when you shot him because you said he had his AK.

WITNESS: I could just see his left arm which he had the AK in it.

Brigadier Nitsch: So the AK was in his left arm?

WITNESS: I believe so. I believe so to the best of my knowledge.

Brigadier Nitsch: Could you see his right arm then?

WITNESS: I could not.

Brigadier Nitsch: I'm looking at the diagram here. I'm placing you there and the insurgents come from here and you believe he's turned; is that correct?

WITNESS: Correct.

Brigadier Nitsch: And that's why you engaged him in the left hand, the left side of his body?

WITNESS: Yes, sir, I believe so.

Brigadier Nitsch: So it was a shot into the flanks. If I draw his body like that, you shot him to the flank like that as opposed to a front shoot that you shot the left-hand side of his body? Do you see the difference?

WITNESS: Yes, sir, yes, sir.

Major General Votel: So in other words, it was the left portion of his body that was really exposed to you?

WITNESS: Yes, sir.

Brigadier Nitsch: So therefore, you felt that you couldn't see, you could not see his right arm; is that correct?

WITNESS: Correct.

Brigadier Nitsch: Okay.

WITNESS: I wasn't looking for his right hand. I saw the AK clear as day and saw his body and white clothing.

Brigadier Nitsch: What made you use (b)(1)1.4(a), (b)(2)High ammunition?

WITNESS: That's just the ammunition that my weapon is sighted into so that's the ammunition that I typically use.

Brigadier Nitsch: Did you have any other grain of ammunition with you?

WITNESS: No, sir.

Brigadier Nitsch: And is that the only grain of ammunition that is used for the weapon system that you chose to take on this?

WITNESS: No, sir. There's quite a few different types of ammunition.

Major General Votel: That's a personal decision on your part at the type of ammunition; assaulter's choice essentially?

WITNESS: Yes, sir.

Major General Votel: It's not standardized across -

WITNESS: No, not at all. To even go so far as - I don't know if anyone in our group does but other groups will even carry different weapons as far as the shooter's choice so the ammunition type I would say shooter's choice unless directed but I've never been directed ever to use a different type of ammunition. I think most people default to the ammunition that their weapon is sighted in to use when we sight in on the range.

Major General Votel: How many times have you been deployed?

WITNESS: Five combat deployments.

Major General Votel: As part of the Task Force?

WITNESS: No three as part of this Task Force, two as part of previous Task Force, one other small two-month deployment but it was not combat. It was just a mission.

Major General Votel: And then those three deployments with the Task Force have all been here in Afghanistan?

WITNESS: Yes, sir.

UK SME: As an assaulter, I can imagine what it was like up on that terrace at night and three insurgents that come at you one after the other and you dispatch all of them. So as a fellow Soldier, I congratulate you on that. You say that you shot the third insurgent in the side. Where did you shoot the first two? Can you recall?

WITNESS: I believe I shot the first - again, I was moving forward and he was moving somewhat laterally so I was hoping for anything on the body basically. I just aimed for his torso and he was - it looked like he was taking cover in the room at first and then coming back out so then just trying to go for center mass anywhere on the upper torso. For the second shooter, I shot him in the upper chest, maybe one in the face. As soon as the gun and his face were presented to me, I engaged as soon as I could.

UK SME: And you knew that you hit them and they've gone down hard?

WITNESS: Yes, sir.

UK SME: Thank you. When you got to the point in the battle when TM5 has come up on your right-hand side and he said, "frag out," or words to that effect, did you say anything else to your other team members?

WITNESS: I don't believe I did. I think at best, I may have let out a choice word or two or maybe a cuss word honestly because I didn't know how far along he was in the process and so I just wanted to cover as soon as possible.

UK SME: So you might have just exclaimed "fuck" or whatever?

WITNESS: Yes, sir, exactly. And then just got in the cove as soon as possible trying to get out of the way.

UK SME: And just last question for now from me, we were obviously talking about the natures of ammunition and

that being down to assaulter's choice. I completely understand all that. What about the nature of the other ordnance that you had with you as I understand it from listening to other people on your team, you were carrying a sort of mixture amongst the team of what I would call a flashbang, obviously fragmentation grenades and (b)(1)1.4a, (b)(2)High grenades. It is fair to say was there any sort of guidance or direction given collectively about which of those grenades you might wish to use?

WITNESS: No, not specifically at all.

UK SME: So, again, that was assaulter's choice?

WITNESS: Yes sir. At the beginning of the deployment, our team had had some brief discussions about who is going to carry just to make sure that we have enough ordnance on target but nothing specifically as far as you can throw this when, or you can use this when, or what not but we wanted to just make sure we had enough fragmentation, (b)(1)1.4a, (b)(2)High and as you said just a different spectrum of ordnance throughout the team to make sure we weren't missing something or being redundant on too many things.

Major General Votel: Just to clarify for the record besides that carbine and (b)(1)1.4(a), (b)(2)High that you were carrying, what else are you personally carrying on the objective with you that evening?

WITNESS: I carry a pistol as well. It's a (b)(1)1.4(a), (b)(2)High and I carried one fragmentation grenade, and an assortment of flex cuffs, camera.

Major General Votel: And in terms of ordnance, just one fragmentation grenade, and ammunition for your sidearm and your longarm?

WITNESS: Yes, sir.

Major General Votel: And is that pretty standard for you to carry?

WITNESS: Absolutely. That's what I've carried. I also carry a demolition charge but obviously not to use to offensive.

Major General Votel: You didn't have any flashbangs or anything else with you?

WITNESS: No. And that's been my load throughout this deployment. There's some other people in my team that carry (b)(1)1.4a, (b)(2)High grenades for anti-structural. I don't.

Major General Votel: If I could, what I'm going to try to understand is how the team operates so the people that carry flashbangs or crash grenades, they're pretty much the same people all the time?

WITNESS: Well again, it could very well vary. It's usually shooter's choice. Terrain dictates a lot of things we do. And going into Konar; it's incredible terrain. So my thinking is bare essentials, light as possible; in Afghanistan as well when you get into -- my experience anyway, when you get into rural settings, I never wanted to carry flashbangs because the dust hazard. So if they're thrown into mud or dusty hut or a hut where they have flour or cooking utensils where they typically do anywhere that just destroys your visibility immediately. I've always just carried a single frag unless directed otherwise to carry more.

Major General Votel: And I want to move a little bit forward here and what I want to talk about is -- the next part I want to talk about is kind of -- kind of your follow on actions on the objective after these engagements are complete up to the point of ex-filtration.

WITNESS: Yes, sir.

Major General Votel: So what I'd like you to do is free talk after you've now have the engagements here and a grenade has gone off then just tell us what happens with you.

WITNESS: Yes, sir. After the grenade did go off, I waited for a little while, crept forward, cleared building 23 on my own, nothing inside of it. It was all clear. Again, the team leader came over the radio. TM1 said, Alpha, we need to get up to 11 and 12 to start clearance up there. I said, roger that. I immediately came out of building 23 took a left, another left, stepped across the two initial dead bodies right there, made my way up the path --

Major General Votel: The path between 25 and 23?

WITNESS: Yes, sir. And a winding path led up to building 11 where a loose group of us converged on that and just started the clearance on buildings 11 and 12. I was on the eastern side and just tried to bounce up through the terrain going to different levels. It was somewhat of a slow process because the terrain was so nasty, you had to clear a few rooms then get out on a footpath, go up to the next level, and just clear all the way up basically. I did that again along the eastern, northeastern side all the way up until I reached building 12. At that point, I saw one of our RECCE members, a sniper, on the high

ground, TM9. I deconflicted with him real quick. I said do you have anything, no.

At that point, I started to feel that 11 and 12 were secure. I knew we had other guys on the east, so I just stopped for a few moments. There was a lot of sheep were some sort of animal out on top of 12 and they were moving all around so I just took my IR laser and floodlights and scanned through all the sheep making sure there wasn't any people hiding among them or anything like that as well as the terrain on the hillside to make sure they weren't hiding in the vegetation or anything.

About that time, I started moving back down to the base of 11. On my way there, I ran into another one of our RECCE guys who was from 14, 15 heading all the way up to meet TM9 at the roof I was assuming or to get to the high ground. I said, do you have anything? He says, you know we got her right? And I say, no, we got her? He says, yeah, but she's dead. And I'm, like, dead? He's like, yeah, I don't know. It looks like they killed her when we got here. I know our guys found her dead. I said okay. Just tried to let that sink in a little bit and then obviously we knew that -- or I knew that it was a big operation so everyone is going to want pictures and everything else.

So we started conducting SSE on 11 and 12 just go through searching all the rooms. There was some women and children there. I told them just to stay inside; it's dangerous out here, stay inside. At that time, TM4 who usually does the schematic sketch of all the buildings and takes pictures of the room he said he was finding a lot of SSE in his room so he said would you mind doing the sketch forming and the pictures and I said yeah no problem.

I went back down to the base of 11 and started with my camera and notepad and just tried to do the schematic and all the pictures for 11 and 12. It took a little longer than usual because I don't normally do it so my system wasn't very impressive. So I just worked my way up through 11 and back to 12 all the way up back to the hill. It took a little while. And towards the end of that, the team leader, TM1, again, said, okay, in about five minutes, Alpha needs to bring it back down the hill and muster around the 20 series were getting ready for EXFIL. I said, roger that. TM2 and TM5 had started TQ, tactical questioning of some of the women and children and they say go ahead go without us. We'll be down in a couple minutes and I said roger that.

Major General Votel: So Alpha 2 and Alpha 5 remained up in the vicinity of 11 and 12?

WITNESS: Yes, sir, just for a few minutes but yes, they did. The majority of us went down to the 20 series. I saw TM1 there. I said the majority of Alpha is here but 2 and 5 are still conducting TQ. They will be down in few minutes. He said, okay, roger that. We kind of went our ways.

Major General Votel: When you came down you stayed in the 20 series, can you be just a little specific, where -- did you come back down, between 23 and 25?

WITNESS: Yes, sir. The same path that I had taken to get up to building 11 and 12, we came back down that path.

Major General Votel: And then where did you link up with TM1 at that point? Was it right in the vicinity of -- right around where you had gone back up the hill?

WITNESS: Yes, sir. I would say about on the southeastern corner of the building 23, in that general vicinity. So again I say a majority of Alpha is here but TM2 and TM5 are on their way back down. They'll be here in a few minutes. He said, okay, roger that. At that time, they put out the EXFIL plan (b)(1), (1.4a), (b)(2) High is going to come in were going to hoist Ms. Norgrove's body up. And then (b)(1), (1.4a), (b)(2) High is going to come in and we're all going to climb and (b)(1), (1.4a), (b)(2) High PAXs are going to exit on (b)(1), (1.4a), (b)(2) High Okay. Roger that. And then just kind of milling about right there waiting for (b)(1), (1.4a), (b)(2) High to be inbound and that's when I start -- I try to look at some of the guys I initially engaged as well as just overheard some of the talking of "oh, this guy right here, he's the one who looks like he's got the heavy S-vest right here." And sure enough, I look in his body and his whole rear shoulder and back is just removed from his body basically, a massive chunk out of him. As well as over here people saying, "yeah, EOD says a few of their grenades were rigged to release the spoons in a last-ditch effort sort of manner." And I said, oh, geez. A little more time goes on --

Major General Votel: You're still on the objective while all of this is taking place?

WITNESS: Oh, yes, yes, sir. We are still waiting for (b)(1), (1.4a), (b)(2) High to come in. And then I overhear that she was found by the 25 series which is right across the corner from the 23. And I just started thinking I'm like wow, that's pretty close. I didn't realize she was in the vicinity right there. But again, not knowing the full picture, I just didn't really know what to think. I was thinking I don't know how they found

her. She was obviously already wrapped up and at that HLZ at this time, so I never saw her on target. So I don't know any sort of configuration at that point. I'm just thinking, gosh, wow. I just remember being very surprised. At that point, I just tried to start reverse engineering my steps basically when we first came. I was like, okay, I came up, I shot this guy, and then worked all the way up and I thought and I'm pretty positive TM 5 threw a grenade. I don't know. I don't know.

Major General Votel: At this point, this is all self thought right here what's going through your mind?

WITNESS: Yes, sir. And I just -- I don't know at all. So again, (b)(1), 1.4a, (b)(2) High is getting ready to come in. I see TM 5 in the vicinity of building 22, 23. I come up to him and I say, "TM 5, I'm just trying to retrace my steps and everything and you did throw a frag, correct?" He's, like, "yeah, yeah, on the initial shootout with the initial guys." I say "okay. I'm not suggesting anything at all but we need to talk to TM 1 about that." He says "okay, I totally agree."

At that time (b)(1), 1.4a, (b)(2) High is coming in. They begin the hoist on her. There's quite a bit of debris. It's a real makeshift huts and everything so the roof tops and everything are blowing around (b)(1), 1.4a, (b)(2) High gets done after a little while. It did take a bit for her to be hoisted up. They say, okay, everyone get to the HLZ for (b)(1), 1.4a, (b)(2) High get ready to climb.

At that point, I had to go pick up my bag. (b)(1), 1.4a, (b)(2) High in with a backpack and then just dropped it off in the vicinity of the HLZ. It just had food and water basically in case we had to remain over that day. I run and grabbed my backpack. I filter into the HLZ area. At that time, 5-8 is coming in. We (b)(1), 1.4a, (b)(2) High, board the helo and back. It is about a (b)(1), 1.4a, (b)(2) High flight or so. I'm not real sure. We get bussed back over here. I dropped off my body armor, helmet, and rifle and get by the firepit. The (b)(1), 1.4a, (b)(2) High chief goes over all his points. The Master Chief as well goes over all his points. At that time, they say or immediately after that they say we need you to drop off -- everyone needs to go to the SPA and drop off all your pictures to Intel. I say Roger that grabbed my camera and everyone else grabs their camera. We get over there and there's quite a few people so we're just waiting in line. And we drop off our pictures when it's our turn.

At that time as well I had to take the sketch I made on target out of my own notepad and transfer it neatly on the schematic onto paper and label all the buildings as well as just make sure everything was

listed that was found on 11 and 12. That took a little while.

After I was done with that, I just okayed it with TM4 who usually does it. He said, yeah, it looks fine. I'll take it. I dropped him that. I came back over to our compound and dropped off my pistol and made sure my rifle and nuds were all there and not damaged or anything like that. My clothes were there so I took off my combat pants and top and changed into my other clothes right there, walked back to my barracks right there a little while later and I saw TM1, our team leader there, and I say -- I come up to him inside the barracks and I say "I'm not suggesting anything or drawing any conclusions or anything like that, but in the initial engagement, one of our guys did throw a frag." And he said, "what?" And I could just tell this was the first he had heard of anything and I apologize and I say "I'm sorry I'm the one who's telling you this but TM5 was going to tell you. TM5 threw a frag on the initial engagement. Again, I'm not drawing any conclusions or anything, but it happened." And you could see he was pretty blindsided by it and he says "okay, well, we need to get TM5 and we need to go through it so we know exactly what happened." A few moments later actually on his own, TM5 comes through the door while we are still talking.

Major General Votel: Just to clarify, it's just you and TM1, the team leader, talking at this point, nobody else around?

WITNESS: No, sir.

Major General Votel: And this is in your barracks?

WITNESS: Yes, sir. TM5 who also lives in those barracks comes in. TM1 says, okay, has TM5 go through his story. I kind of reiterate what I've already told him. And after we had told him what we know, TM1 says, okay, I will take care of this. I will talk to the head shed. And we say, roger that and it wasn't until about 24 or 48 hours later TM1, the team leader, TM1, comes back into the barracks and says I just watched the video with the Master Chief. I walked him through everything that happened. When it's time, whenever you go in there, I just need you to go in there and tell him the same thing you told me. I said, "roger that" and a handful of hours later, I did. I came in this room and Master Chief had the video and I walked him through like I'm walking you guys through right now through the video.

Major General Votel: Thanks. That's a lot there. Let me just as a couple questions here and then I'll kind of open it up and we'll go back to it. So what I've just kind of heard

you describe is actually on the objective as you were waiting for the EXFIL, you and TM5 had a discussion about the grenade and he acknowledged the fact that he had thrown a grenade?

WITNESS: Yes, sir.

Major General Votel: And I'm taking - I know you did caveat it there and say you're not suggesting anything one way or the other, I presumed your concern was that the grenade may have contributed to Ms. Norgrove's death or --

WITNESS: Or any number of factors. Absolutely, that was a scenario in my head. But the fact that she was that close to us as well and I had no idea was very surprising because again I was taking shots at those people. The fact that I didn't see her at all throughout the objective was a pretty hard blow. It was pretty shocking at that point in time.

Major General Votel: Okay, I'd like to fast forward a little bit to the return back here to (b)(1)I.4a, (b)(2)High your transport back here to the compound. You download your equipment, you go out to the pit out here and you do the hotwash. I'd like you kind of to describe how the hotwash went. And was it a typical Alpha team hotwash? I mean, did anything in particular stand out for you, and you just talk little bit about how it was conducted.

WITNESS: Yes, sir. It was very typical. It was the strike force together and it wasn't just Alpha at all. It was everyone. And it was typical in the fact that Our troop chief, will pretty much just go through everything from start to finish; start with planning, insertion, execution, EXFIL and just go through the operation. Him directing everything through there, doing the majority of the talking. And then Master Chief put in his two cents which may or may not always happen. It can, but it's definitely not always but he was there for that one. He said his two cents as well, and so it was fairly typical.

Major General Votel: And then do you recall during that any particular discussion about Ms. Norgrove or any attempt to explain how she may have been killed?

WITNESS: Yes, sir. It was very similar to what I had heard when I left building 11 and 12 and moved down towards the 20 series in the vicinity of the shooters. Again, just overhearing the S-vest comments, how the explosion seemed to be fairly big. Our (b)(1)I.4a, (b)(2)High chief, reiterated all those things. He - suspected (b)(1)I.4a, (b)(2)High the bigger explosion, but bottom line we don't know at this point, everything else.

Major General Votel: Having sat through a number of these hotwashes, is it an environment where people feel comfortable providing information in there or it is - I'm trying to get a feel for how much opportunity there is - two ways -- would it be conducive to providing information about, hey, a grenade was potentially employed here?

WITNESS: It is for the most part fairly informal and it's just the (1) (4a, (b) (2) High Chief talking through the operation. At that time with all of the suspicion about what it could have been done for me not being able to have seen her or the scene and how it was found or anything being at the scene on target at all being able to look at her, look at our vicinity to that and work through, I was just -- it was just starting to set in for me that it could have been a possibility throughout the helo ride and throughout the EXFIL and at that point at the firepit and obviously it's a very glum atmosphere anyway, the firepit, because we had just failed. I think the only thing I could say that was going through my head was I didn't want to convict this guy of doing something that someone else would know the scene better or suggest it to anyone else except for just my chain of command. So I just thought okay I'm going to -- obviously we both agreed we needed to tell TM1 about this. We needed to tell the chain of command. I didn't want to wrongfully accuse him of something in front of everyone I suppose if it had no merit. And at that point not having seen the position she was in and the area exactly how it was laid out after that assault or not having seen any ISR footage or anything like that, it just still wasn't clear to me whatsoever what had happened.

Major General Votel: As an assaulter coming off an objective, do you or your fellow team members account for the ammunition that you expand on an objective? I mean if you employ a grenade, do you just kind of resupply yourself or --

WITNESS: Yes, sir, we do.

Major General Votel: So there's - nobody's coming through and saying well you know you need accountability for how many rounds are actually expended or different munitions?

WITNESS: No, sir, none that I've have seen.

Brigadier Nitsch: Thank you. That was really clear. Just to ask you just a couple questions. After the explosion, you explained that you've completed the clearing of 23 which created a small delay and then you moved out. What did TM5 do?

WITNESS: To be honest I'm not sure because after the explosion, I came out of the crevice or cove that I was in and held in that area and moved up. I thought there was going to be more people behind me but when I entered building 23 and it was just a single room structure, or attached, but it was a single room, no one was with me which was somewhat common when we work in such small groups. So there was no one else in that room and it was in that room when I got the call that Alpha needs to go to 11 and 12, so I don't know exactly where he was.

Brigadier Nitsch: Because you don't - why do you think a grenade was thrown?

WITNESS: He felt threatened would be my best guess. He felt that we were in a shootout with these guys obviously only these guys and we were at a less than advantageous position.

Brigadier Nitsch: Do you think you did anything to indicate to him that you were under pressure? You know, you had taken a shot and you'd moved across undercover, do you think he could have interpreted that as you feeling significantly pressurized; could you have done anything to give him that sense that you weren't in control of that particular engagement?

WITNESS: Probably just by my body language, absolutely, and in the fact that I was shooting and not moving forward. I was staying right there, not advancing any forward like you said, trying to hug as close to the building as I could but still keeping out a little bit where I could see people so I'm sure my body language was fairly tense and obviously me shooting didn't make him feel very comfortable either him not seeing -- I don't know what he saw but me engaging and him behind me, absolutely.

Brigadier Nitsch: Did it ever occur to you to throw a grenade? Did you have one?

WITNESS: It did not. I had a grenade but it didn't occur to me.

Brigadier Nitsch: Why was that?

WITNESS:

(b)(1)1.4(a), (b)(2)High

(b)(1)1.4(a), (b)(2)High

Brigadier Nitsch: And you've done a quite a bit of training with this (b)(1)1.4(a), (b)(2)High with the team. What was your sense about perhaps the use of ordnance and ammunitions in that situation given that you knew you were going into a hostage release environment?

WITNESS: Again, it didn't occur to me to throw a grenade. I -- even on (b)(1)1.4(a), (b)(2)High missions, I rarely employ grenades, just me personally, simply because there's just a lot of variables when you employ grenades. I typically keep it on my belt for a last-ditch effort.

Brigadier Nitsch: And can I just ask you one last question and that's to take you to the day when we finish the mission and you make your declaration, your team leader effectively took away from you the grenade problem because he was saying that's my responsibility. With only further discussions in the day before you were shown the video about it, did you chat to TM5 about it? Was in your mind, or was it still worrying you? I mean, how did you feel?

WITNESS: It was definitely on my mind, absolutely. It's been on my mind ever since it happened obviously but as far as discussions, no, I didn't really talk any more about it that I can recall until TM1 had come in and told me you're going to have to go talk to Master Chief as well and walk through the same story you told me. No, not that I can recall, I'm sorry, but it was absolutely on my mind.

Brigadier Nitsch: The whole instant was just frozen out of discussion was it? I don't mean the grenade, the while action -- was it discussed within your team or was it just one of those things that it was so fresh that you couldn't really face discussing it?

WITNESS: I would say the latter. It was just so fresh and sensitive.

Brigadier Nitsch: So raw really?

WITNESS: Yes, absolutely. And knowing that -- as you said you know it had been passed along to my chain of command. I would guess my instincts at the time were the proper people need to know so I don't want to create any disorder.

Brigadier Nitsch: Was there any efforts in that day to look at all at the video evidence or anything else?

WITNESS: No, sir. The following day, I wasn't part of the discussion necessarily but the ~~(b)(1), (1.4a, (b)(2) High~~ Chief and TM1 did discuss an initial video that had come out. Obviously it wasn't as clear and didn't paint a clear as a picture for me as the video as I watched with the Master Chief but they did discuss that.

Major General Votel: You weren't part of that discussion were you?

WITNESS: No, I was somewhat present but on the fringe. It was more of a question of shots and did you see her and everything. I believe everyone who had talked to me had known that I never saw her on the target at all.

UK SME: So you've gone into 23 on your own and you've cleared it. And during that clearance, you've heard from TM1 that he needs to get the ~~(b)(1), (1.4a, (b)(2) High~~ course lines up to 11 and 12?

WITNESS: Yes, sir.

UK SME: Can you just describe to me your route from inside here to up those two compounds?

WITNESS: Yes, sir. I believe the doorway was more on the right side as you looking at the building than the left so I exited this door to go left. I saw the immediate dead male on the landing, another dead male right here on the stairs. I stepped over the second one, but the first one I could easily walk by and took another left at the corner and went up and I believe this wound around a bit and --

UK SME: And you didn't see any other dead bodies or anything that struck you as odd as you took that route?

WITNESS: No, sir, just the initial one on the landing and then the one that I stepped over.

UK SME: Okay. And only one other question really which is on the hotwash. Do you remember, did you say anything at all during the hotwash?

WITNESS: I didn't. I didn't say anything at all.

UK SME: Did you think that was a bit strange given that you had engaged and killed three of the enemy on target?

WITNESS: I did. I did think that was a little strange. They had pretty much just talked through everything that had happened as far as the engagements and I was expecting them to say who engaged these guys or exactly or how are these guys engaged but they already somewhat knew and just kind of walked through everything from start to finish.

Major General Votel: Did they attribute it properly?

WITNESS: I don't even believe they did.

Major General Votel: Who the shooter was I should say.

WITNESS: I believe they attributed the first one properly to Alpha. I don't even know if he said myself to be honest, I'm not sure.

UK SME: And during that hotwash the troop chief and the Master Chief spoke or did most of the speaking, can you remember anyone else doing any speaking?

WITNESS: I cannot.

UK SME: So you don't remember TM1 saying anything during the hot wash?

WITNESS: I think he may have said something about him being on the roof and -- I'm sorry, he did say when I shot the third guy or maybe it was the second because I couldn't see exactly which -- when I say "second" and "third," I mean the guy at the corner and then the guy who walked up third at the corner of 25. He says, yeah -- I believe this is when he said I engaged him and he exploded which was kind of ironic because it happened on our last deployment as well, same person in the same team and all of us together. So we all kind of understood where he was coming from with that and he said yeah he shot them and he exploded and I caught a little frag. And that's -- the gears were still turning and it wasn't clear. I don't know. I don't know if he did or whatnot.

UK SME: So when he was saying that, you weren't sure which EKIA he was talking about?

WITNESS: No. I wasn't fully sure. I'm assuming that it was just by the sheer timing of it because the second EKIA I believe was already laying on the ground not moving anymore at all so I'm assuming he's talking about the third one. The timing would have been right with him still being alive and the grenade going off, the explosion happened.

UK SME: Clearly these engagements that are happening very close range. So certainly with number two and number three the distance is what 10 to 15 feet, something like that?

WITNESS: I would say maybe about 10 or 15 meters.

UK SME: And were you aware when you were engaging either of those two targets was someone else also engaging?

WITNESS: I wasn't.

UK SME: At all?

WITNESS: No, I wasn't.

UK SME: You didn't hear anything. You certainly didn't see that enemy --

WITNESS: I had heard a few other shots but didn't see any impact or didn't see any of the visual results of a body been hit or anything like that so no, I didn't.

Major General Votel: I'm going to move on to the last phase of this. I would like to call the video up and just to make sure for the record I'm very clear on where you are you've seen this I presume?

WITNESS: Yes, it's the video we watched with Master Chief.

Major General Votel: So you can start to see some operators start to come up into the corner of the thing here, 21, 22, 23, and 25 and we see this gentleman come out. He comes back. He gets -- he throws something or does something and then he's engaged by you so he is down. Can I ask you to stop. Did you see? Did he discharge a weapon at you? Do you know? Did you see anything fly off?

WITNESS: No, I didn't. If he did, it could have been when I was trying to look down at the terrain. Everything was pretty rocky, so walk over there it was complicated. But, no, I didn't see that.

Major General Votel: Okay. Go ahead please. Now we start to see some of your teammates here led by your team leader. I think we've established here. He's trying to move up on the roof of 22 here towards 23 and then I think we've identified who these individuals are already and we start to see this movement here. We have an individual now approaching the stairs. Stop please. He's up on the stairs. There's an operator right here with his weapon.

WITNESS: That's myself.

Major General Votel: So he exposes himself and he is right along the stairs there. Go ahead please. He is engaged. All right, stop. So he's been engaged and this individual is, I presume, is TM5?

WITNESS: Yes.

Major General Votel: Do you know who this might be? Any idea? After watching the video and knowing that I go into the cove after I hear what TM5 is going to do, I can only

assume that's the because that's who I was in the cove with. (b)(7).4a, (b)(2) X

Major General Votel: Okay. Let's go ahead a little please. Now stop. At this point this is the point in which TM5 moves up beside you. Are you both standing at this point? I mean you're both in standing positions; do you recall?

WITNESS: I don't. I don't recall. I was very focused on what's going on in front of me. I don't know, being on nods, my peripheral isn't that great. I can kind of hear him or feel him breathing but I couldn't tell if he was next to me or still behind or anything at all.

Major General Votel: And then again I know this is a little bit of rest in retrospect so closest to the building is you and next to you is TM 5. Right here, we estimate this as the PJ.

WITNESS: Yes, sir.

Major General Votel: Do you have any idea who these guys were?

WITNESS: I don't. Someone from Alpha probably.

Major General Votel: Okay at this point, the gentleman is coming up. You engage again.

WITNESS: Yes, sir.

Major General Votel: And you and TM 5 are still -- when that engagement occurs, you two are side-by-side?

WITNESS: Yes, sir.

Major General Votel: And did he employ his weapon?

WITNESS: I don't know. I don't know at all. I just remember seeing that -- seeing the guy, engaging him and then almost immediately as I'm shooting, I hear his call and I just tried to get cover as fast as possible.

Major General Votel: And again looks like there's a weapon up or something there so that may have been maybe your weapon. And again and still you have no idea who these operators are that are coming up behind you?

Witness: No, not specifically, no, sir.

Major General Votel: Okay. Go ahead. Stop. That individual that just moved into the cove as you described it here at the intersection of 21 and 22 was you [screen shot]?

WITNESS: Yes, sir.

Major General Votel: And you are joined by ~~the~~ (b)(1), (b)(2) High

WITNESS: Yes, sir.

Major General Votel: This individual right here is TM5?

WITNESS: Yes, sir.

Major General Votel: And it appears he's taken a knee at that point; is that kind of how you interpret it as well?

WITNESS: Yes, sir.

Major General Votel: At this point, he would have already said frag out or words to that effect that would have caused you -- was that verbalization by him what caused you to seek some cover?

WITNESS: Yes, sir.

Major General Votel: Go ahead please. Stop. And did he come into the same cove as you were?

WITNESS: I believe so. I was looking more in than out.

Major General Votel: Inside the building?

WITNESS: It was not really even a room really but it just had some a little bit of structure to it in a little bit of an obstacle to it to where you had to look around it and get back a little bit deeper inside the building.

Major General Votel: So essentially in this little area right here, we've got you, ~~the~~ (b)(1), (b)(2) and TM5 all pretty confined location?

WITNESS: Yes, sir.

Major General Votel: Okay. Go ahead and just play it on. And then stop once more. So what's going to happen is you're going to end up coming out here and going into 23 and that's the point in which you are told, "hey, Alpha, we need to get up to 11 and 12," and so you come out of the door here and then step across this individual and get on the path and go up?

WITNESS: Yes, sir.

Major General Votel: And you do recall seeing this third person that was killed?

WITNESS: Only during the engagement, not during that --

Major General Votel: You didn't see him as you come in off --

WITNESS: No, sir.

Major General Votel: Do you recall what the disposition - I mean how was that body - did you step across his head or his legs? Was he uphill or downhill or --

WITNESS: I believe he was on a slope. And I might be just making this up on in my own head, but I thought he was facedown still.

Major General Votel: Head going uphill?

WITNESS: Head going uphill. Again, I can't be for certain but I basically just diagonally walked across him and tried to maneuver my way up the rocks right there.

LTC (b)(3), (b)(6) : And we're talking about the second person that you stepped over; is that correct?

WITNESS: Yes, sir.

Major General Votel: This guy right here. You didn't have any problem getting around this person right here?

LTC (b)(3), (b)(6) : Right, sir, I was just saying it for clarity.

Major General Votel: I apologize for taking you back to this. I should have done is when you were talking, but you were flowing pretty well and was actually very clear and thanks for that. Before I shut this off, any questions from anybody regarding this?

UK SME: There was just one other question. When you were being told by TM1 to go up to 11 and 12, given that you'd seen three enemy coming up from down here, what did you think was going to happen to these compounds? Was there a sense that those people that landed on (b)(1), (1.4a), (b)(2) High were going to deal with them or someone else because it seems to me and I'm not putting words in your head but I can see how you and your other assaulters will have concluded that the main enemy threat was coming down here? So I just wonder when you were going to go up here, how you felt that that was going to be dealt with?

WITNESS: I was under the impression that the assaulters from (b)(1), (1.4a), (b)(2) High were going to move into the 20 series as briefed. I think the reason I initially or the reason I made entry into those because I was exposed to them and I thought I'm not doing anything outside, I need cover and I need to be somewhere. I don't know what's going to happen to these buildings if their house-born IEDs or anything. I just want to get some clarity of what's going on so I just entered the room

and it was more so just waiting for direction at that point.

Brigadier Nitsch: As we've got them images of one, two, and three. Let's have him look at those images to confirm that those are his shots and his targets.

Major General Votel: Okay. I'm not sure what the label on this photo is right here. This is EKIA 1. This is the first gentleman that you shot on the objective. Anything in particular there? Looks like you can't see the right side of his face there. It looks like there is a lot of blood and other stuff there.

WITNESS: Nothing.

Major General Votel: Let's go to EKIA number two.

WITNESS: Okay. So I was obviously wrong on the facedown thing.

Major General Votel: He may have been shifted around. We're looking at a photo of EKIA number 2 from the objective here. Showing a face-up mouth partially open and their eyes glazed over. There is no visible signs there of where he might have been shot. I don't know if that's one in his neck or not.

WITNESS: If it was number two, I thought that I shot him in the upper part of his body as far as the upper torso or maybe the face but I don't see any shots in the face at all.

Major General Votel: And then EKIA number three. Okay. We're looking at a photo of EKIA number three and it shows him facedown. It looks like his left shoulder would be towards building 25 and actually his head is downhill here. I would just add that I think in when we talked about this, you said you shot him in his left side because that was exposed to you. So it's likely that side of his body had blown up here might be the portion where - now, you're right and the Brigadier is pointing to what looks to appear potentially a bullet hole found on the mid waist there on the left-hand side.

Okay. Thank you. Turn those off. Thanks for going through that. What I'd like to kind of move into is the last phase here and that is did you participate in the discussion when the UK deputy ambassador came? Were you in that session?

WITNESS: Yes, sir.

Major General Votel: Okay. And shortly after that, is that when you went and met with your Master Chief to review this video that we looked at?

WITNESS: It was hours later. And TM1, the team leader, obviously had spoken to him first and come back into our barracks and notified me that I'm going to go watch the video and debrief the Master Chief on what I had told him.

Major General Votel: So you guys came into this room right here?

WITNESS: Yes, sir.

Major General Votel: And was it just you and the Master Chief?

WITNESS: No, the (b)(1), (b)(2) Chief was here as well.

Major General Votel: Okay. So the (b)(1), (b)(2) Chief, the Master Chief, and yourself were in here and you went through the video?

WITNESS: Yes, sir.

Major General Votel: Can you just quickly summarize -- were you narrating the video or how did that work?

WITNESS: I was. Well he asked me what can you tell me about it first before he played it and I told him basically the same very, very abbreviated version. I didn't walk them through the entire target but a very abbreviated version of what happened focusing on the initial contact. And he said okay and played the video and then from there we watched it numerous times. Each time, I would try walking through my actions. There was some questions asked. I don't recall exactly what they were but he did ask like you all have asked inquiries when they come up?

Brigadier Nitsch: Can I just ask you one thing right back at the very beginning, were you happy with the mission? Were you happy when you were sent off? Were you happy with the calculated risks and everything else? How did you feel?

WITNESS: To the best of my knowledge, I remember feeling -- we hadn't done anything for a couple weeks so it was good to get out of the door and do something. But at the same time, we hadn't had contact with that compound for a day or so. A lot of people and myself included we just didn't know what we were going to get into you. We don't take any target lightly but definitely had a suspicion that there wouldn't be much on the target perhaps because we haven't seen any activity and then obviously very, very concerned about the terrain and remember preparing my back to possibly staying over a day because the terrain was so bad and us not possibly being able to get out.

Brigadier Nitsch: Did you feel absolutely confident that you -- as you work on the aircraft, you got the launch, did you feel absolutely fully focused and confident as you went in?

WITNESS: For the most part, I felt fairly normal to what I usually feel. It was good on one hand because the illumination was very low but on the other hand, we're going all the way to the X. And there's always a risk when you're bringing (b)(1), (b)(7)(C), (b)(7)(D) High a massive helicopter to the X, small arms fire, RPGs or anything and we're going to be that close to a possible structure to where they could take out the helicopter. That absolutely went through my mind. There may have been an escalated sense of urgency to get off the helicopter and it seems like it took a long time for them to get in the right area but the terrain is horrible so they're going to take their time to make sure they don't crash before (b)(1), (b)(7)(C), (b)(7)(D) High (b)(1), (b)(7)(C), (b)(7)(D) High. I did feel anxious to get out of the helo but as far as my senses about the target itself, more or less normal.

Brigadier Nitsch: Thank you very much.

UK SME: Can I just ask you about the debrief with the British Deputy Ambassador. What form did that take and do you remember what was said during the debrief?

WITNESS: Not in detail, unfortunately, but we were all in the squadron planning area or SPA as we call it with bench rows. I just sat down in a row of three or so other people. The ambassador came in and along with my Master chief, and a few other personalities that were introduced. I'm not sure who they were. And the British ambassador was fairly quick in her message just saying thank you for your attempt and the other UK representatives then just more or less echoed the same thing highlighting a few of the technical challenges just saying he thought it was again a good attempt with regards to the circumstances and how the opportunity was and how difficult it could have been but he thanked us as well.

UK SME: So this was them coming to congratulate you and express gratitude to the team?

WITNESS: Absolutely.

UK SME: And did either the ambassador or the deputy commander, did you get the impression that they believed that Ms. Norgrove had been killed by a suicide vest?

WITNESS: Yes.

UK SME: Okay. And this was many hours after you had your conversation with your team leader?

WITNESS: Yes.

UK SME: Okay. And what conclusion did you draw from that? Did that concern you?

WITNESS: Yes, it did. I basically thought well either TM1 hasn't brought it up yet or if he did, they were still in the process of being talked about and worked out or whatnot. Again, I wasn't really saying much in those days at all. Just feeling pretty sick and disappointed.

UK SME: I suppose the question which you've answered is as far as the UK military or the ambassador were concerned, in their minds, they had reached a conclusion from what they had already been told that Ms. Norgrove had been killed by suicide vest?

WITNESS: Yes, sir.

LTC (b)(3), (b)(6): And it's kind of along the same lines the UK SME was asking you questions I'm just trying to get a more of a clear timeline from my own perspective how things happened so without going into details as to all the things that you had to do after the engagement in the hotwash is done how much time had elapsed from the hotwash until you've told TM1?

WITNESS: From the hotwash, I would say anywhere from 45 minutes to maybe an hour. I'm not very certain.

LTC (b)(3), (b)(6): I guess the debrief with the deputy ambassador was the next event and that occurred when?

WITNESS: That occurred about 24 hours later I believe.

LTC (b)(3), (b)(6): And when you saw 24 hours later were you saying 24 hours from return?

WITNESS: Thereabouts, yes. It was basically the next period of darkness which is our working hours I believe. After a sleep cycle.

LTC (b)(3), (b)(6): Then there is a conversation that the troop chief and TM1 had.

WITNESS: I'm sorry. I believe the British ambassador, she came not the day after but a full --

Major General Votel: Would have been Sunday morning probably.

WITNESS: Yes, earlier in that workday.

LTC (b)(3), (b)(6) : So back to the (b)(3), (b)(6) chief and TM1 having their discussion about the engagements, when did that occur?

WITNESS: I don't remember.

LTC (b)(3), (b)(6) : Was it before or after the ambassador visit?

WITNESS: I want to say before, but it could have been after. I apologize. It's all blending together. I apologize.

LTC (b)(3), (b)(6) : And where did this take place?

WITNESS: In his barrack's room, TM1 barrack's room.

LTC (b)(3), (b)(6) : And who else was present?

WITNESS: Myself, I was by the doorway. I believe TM5 was present as well, I believe so, and I want to say that's all. I apologize, sir, some of the details are getting mushed together.

LTC (b)(3), (b)(6) : No, that's great. That was what I wanted to clarify.

Major General Votel: Thanks. I just want to remind you that this is an official investigation and the information has been provided is protected in the sense that this report is going to be made only available to the appointing authority General Mattis and he will see it he will at least have an opportunity to look at the testimony that you have given here. I'm giving you an order at this point not to divulge the nature of this investigation or the questions, answers, or discussions that have been included in this interview with anyone except a Chaplain or your counsel. I don't think you have one or unless it is approved by me or the appointing authority.

WITNESS: Yes, sir.

Major General Votel: If anyone should approach you regarding your testimony or any of the matters that we discussed here, you are required to report that to me immediately.

WITNESS: Yes, sir.

Major General Votel: As the investigating officer, I can't give you a copy of your testimony here today or part of the official government record here but you may of course may submit a request in writing for the report or any part thereof to the appointing authority to the Freedom of Information Act office here and they will

review your request and make a determination on what can be released to you.

If you think of anything else here in the wake of our discussion that you think might be useful to us, I would please invite you to let us know and we will immediately reconvene and discuss it. I know sometimes -- I know you've gone through a lot here and we've asked you a lot of questions here and you've been very, very clear with that but if something does come up, please let us know and we'll talk about that

WITNESS: Yes, sir.

Major General Votel: Are there any other matters that we haven't covered or discussed here that you believe might be important for us to address?

WITNESS: I don't believe so, sir.

Major General Votel: I think you're probably aware we're talking to a lot of people here and we've got a few more. Is there anybody else that you think that we might consider?

WITNESS: No. Not that I can think of, sir.

Major General Votel: Do you have any questions for us?

WITNESS: No, sir.

Major General Votel: First of all want to tell you thanks for your service, and I want to tell you also how impressed I am with you as an assaulter and as a young man and I appreciate you coming in here and being so clear and concise as you can be based on your recollection here as we've discussed really a lot of material here and it's been very, very helpful to us in making sure we understood what happens. So thanks very much for that we really appreciate it. And I'm noting that the time right now is 1904 Zulu, and this interview is concluded.

[The witness exited the room.]